IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

Bail Appl..No. 3513 of 2007()

CRIME NO.138/CR/06 OF CRIME BRANCH POLICE, KOZHIKODE

: PETITIONER/3RD ACCUSED

HARIS K., S/O. MOIDEEN KOYA,
PARAMBIL KADAVU, VALIYAVEETTIL, P.O.PARAMBIL,
CALICUT.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT & STATE

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1. THE SUB INSPECTOR OF POLICE,
NADAKKAVU POLICE STATION.

2. THE DEPUTY SUPERINTENDENT OF POLICE,
CRIME BRANCH POLICE, KOZHIKODE.

3. STATE, REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 3513/2007

Dated this the 12th day of June, 2007

O R D E R

Petitioner who is the second accused in Crime No.138/CR/06 of Crime Branch Police, Kozhikode, for offences punishable under Sections 324, 326 and 307 IPC read with section 149 I.P.C., seeks anticipatory bail. The occurrence took place on 15.7.2005.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the investigating officer on any day between 19-6-2007 and 21-6-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioner shall thereafter be produced on the same day before the Magistrate who shall consider his/her application for regular bail preferably on the same date on which such application is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

mrcs